

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Estate of Michele M. Walker)
)
v.) Civil Action # 11-CV-421-PB
)
New Hampshire Administrative Offices of)
the Courts, et al.)

**PLAINTIFF'S PARTIAL OBJECTION TO
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

NOW COMES the Plaintiff, Estate of Michele M. Walker, by and through its attorney, Law Office of Leslie H. Johnson, PLLC, and files Plaintiff's Partial Objection to Defendants' Motion For Summary Judgment, and in support thereof respectfully states as follows:

1. Defendants filed their Motion for Summary Judgment (DN 17) seeking summary judgment on all claims on or about September 6, 2012, and this objection follows within the prescribed time, after extensions granted due to discovery disputes.
2. Plaintiff objects to summary judgment, except as to Count VI, Marital Status Discrimination, which after further discovery Plaintiff agrees to non-suit.
3. Defendant failed to provide a concise statement of undisputed facts supporting their motion, as required by LR 7.2 b.1., making objecting more difficult, and which could justify denying their motion summarily.
4. The factual allegations are largely based on documents authored by Ms. Walker¹; however there is additional support from other witnesses and documents, as demonstrated in the memorandum submitted herewith.

¹ There is not believed to be any serious dispute as to the author of the referenced documents, including notes and journals.

5. The remainder of the facts appear to have been taken from the Complaint, transcripts of interviews, and other documents. Plaintiff will use the same documents which Defendant treated as admissible for purposes of summary judgment.

6. Because there are genuine issues of material fact in dispute, Defendant is not entitled to summary Judgment. Fed.R.Civ.P. 56.

7. In support hereof, Plaintiff is filing a Memorandum of Law, which it incorporates herein by reference.

WHEREFORE, Plaintiff respectfully prays that this Honorable Court grant the following relief:

- A. Deny Defendant's Motion For Summary Judgment;
- B. Allow Plaintiff to voluntarily nonsuit Count VI Marital Status Discrimination; and
- C. Grant such other and further relief as this Court deems equitable and just.

Respectfully submitted,
ESTATE OF MICHELE M. WALKER, Plaintiff
By its attorney,

Date: April 19, 2013

By: _____ /s/ LESLIE H. JOHNSON
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CERTIFICATION

I hereby certify that on this 19th day of April 2013, a copy of this Objection was electronically served through ECF on the following counsel: Mary Ann Dempsey, Esquire, and Lisa English, Esquire, Counsel for Defendants.

/s/ LESLIE H. JOHNSON
Leslie H. Johnson, Esquire